

a program of Land of Sky

FRENCH BROAD RIVER

METROPOLITAN PLANNING ORGANIZATION

TIP AMENDMENT AND MODIFICATION PROCEDURE

The French Broad River MPO occasionally considers changes to its Transportation Improvement Program (TIP) in order to stay compliant with federal and state regulations. These changes are referred to as amendments and modifications. Amendments and modifications can be requested by either NCDOT or the MPO on behalf of the local project sponsor. Amendments are posted for public review, per guidelines outlined in the MPO Public Involvement Policy. Once adopted, the amendments are posted with a resolution from the MPO Board, a funding summary key and a complete list of the amendments noting details about the amendment. The current French Broad River MPO TIP with all proposed and adopted amendments can be found [here](#). A complete listing of NCDOT STIP amendments and modifications, in addition to guidelines can be found [here](#). The following outlines the guidelines for what constitutes a TIP amendment versus a TIP modification.

Amendments

If a substantial change is made to the TIP, such TIP amendments will be available for public review and comment. A 20-day public comment period will be provided for a TIP amendment or substantial change before MPO Board (TAC) approval. Public comments can also be presented to the MPO Board at the meeting before adoption. Any comments received during the public review period will be summarized and presented to the MPO Board. A TIP amendment is classified as substantial if one of the following criteria apply:

- Change in project cost beyond a predetermined threshold; increases in highway projects that exceed both \$2 million and 25% of the original cost and may affect fiscal constraint
- Change in federally-funded or state-funded regionally significant transit, bicycle or pedestrian project that exceeds either \$1 million or 25% of the project cost
- Any addition or deletion of a federally funded or state funded regionally significant project to the first 4 years of the TIP
- Change in the project design or scope that significantly changes the termini or project type, purpose, or number of through lanes on a non-exempt (for transportation conformity purposes) project
- Any addition, deletion, or significant modification of non-traditional funding sources to a project (traditional sources of revenue include federal, state, or local government tax revenues. Non-traditional sources include state bonding and/or private participation)
- Project schedule shifts that move ROW, major capital acquisitions, or construction authorization dates either in or out of the 4 year TIP time window

- Project schedule shifts in years 1 through 4 that move project completion dates across Horizon Years as determined by the Long Range Transportation Plan
- Project schedule shifts to incorporate the project from an out-year into the current (four-year) TIP
- Modifications to a project's scope that will cause a revision of the NEPA documentation or will alter any NEPA determination

Modifications

When a TIP change is not substantial enough to trigger a TIP amendment, a TIP administrative modification takes place. A TIP administrative modification is a process recommended in the FHWA/FTA/NCDOT Joint STIP Review in 2011 to streamline the project process. The MPO Board (TAC) will be notified about TIP Modifications for information purposes but they will not need to be approved by the Board. Additionally, a public hearing and public notice are not required for modifications that meet the criteria outlined below. A TIP administrative modification takes place under one of the following criteria:

- Any change to projects in years 5 or later
- Minor change to project descriptions, scopes, sponsor funding
- Minor cost increases in highway projects that do not exceed both \$2 million and 25% of the original project cost
- Minor cost change in federally-funded or state-funded regionally significant transit, bicycle or pedestrian project that do not exceed either \$1 million or 25% of the original project cost
- Addition to the TIP or changes to locally-funded bicycle or pedestrian projects
- Funding source changes between traditional funding sources (i.e. substituting available Congestion Mitigation Air Quality (CMAQ) funds for FTA section 5307 formula transit funds)
- Projects approved for Emergency Relief funds do not generally have to be included in the TIP, so any changes made for emergency projects may be considered minor modifications.
- A change requested by NCDOT that is considered an administrative modification on their behalf that does not require NCDOT Board of Transportation approval
- Modifications to TIP projects, including a project as a phased improvement to a larger project, as long as the modifications do not materially change the project's intended function, nature, costs or environmental impact.
- Data entry or typographical errors.
- In accordance with federal rules and regulations, in the event that the State of North Carolina or the federal government declares a state of emergency, FBRMPO may process any TIP modification or amendment that is related to mitigation of the emergency as an administrative modification.